

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KENNETH JAMES DAUGHERTY,

Plaintiffs,

v.

RICHARD HARRINGTON and KEVIN B.
PAGE,

Defendants.

Case No. 3:14-cv-876-NJR-DGW

AMENDED 42 U.S.C. § 1983 SCHEDULING ORDER

WILKERSON, Magistrate Judge:

The parties are reminded that they may, pursuant to Federal Rule of Civil Procedure 29, modify discovery dates occurring prior to the close of discovery, by agreement, without the Court's involvement, provided that neither the discovery cutoff and dispositive motion deadlines nor the settlement conference date are affected.

Depositions upon oral examination, interrogatories, request for documents, and answers and responses thereto shall not be filed unless on order of the Court.

Disclosures or discovery under Rule 26(a) of the Federal Rules of Civil Procedure are to be filed with the Court only to the extent required by the final pretrial order, other order of the Court, or if a dispute arises over the disclosure or discovery.

In the interest of reducing delay and expense, it is **ORDERED** that discovery disputes that cannot be resolved through informal means pursuant to Federal Rule of Civil Procedure 37 shall be set for an informal telephonic discovery dispute conference. The party with the discovery dispute shall contact chambers to set up the teleconference and shall be responsible for initiating the conference call. The Court's teleconference number is (618) 482-9004. Written motions to compel or legal memoranda will not be accepted unless specifically requested by the Court. The parties are

directed to this court's webpage, <http://www.ilsd.uscourts.gov/Judges/Wilkerson.aspx>, for additional information and specific procedures regarding discovery disputes. **Consult this Court's webpage BEFORE contacting chambers with questions.**

I. Initial Disclosures and Pretrial Filings

The Court assumes that the parties have exchanged initial disclosures and any other discovery that may have been produced in this case prior to the recruitment of counsel for Plaintiff. To the extent that such documents have not been produced, they shall be produced by **February 29, 2016**.

Motions to amend the pleadings, if any, shall be filed by **March 4, 2016**.

II. Discovery

- A. Any interrogatories, requests for production of documents, or requests for admissions shall be served so as to allow the answering party the full thirty-day period provided by the Federal Rules of Civil Procedure in which to respond.
- B. Defendants are granted leave to depose Plaintiff pursuant to Rule 30(a)(2) by **March 18, 2016**.
- C. Defendant's deposition shall be taken by **April 15, 2016**.
- D. The parties are granted leave to depose other incarcerated person pursuant to Rule 30(a)(2) by agreement provided that the number does not exceed 2 each. If the parties wish to depose more than 2 incarcerated persons, they shall seek leave of Court.
- E. If the parties believe that expert discovery is necessary, they must file a motion by **April 18, 2016**.

- F. All discovery must be completed by **August 12, 2016**. Pursuant to Fed.R.Civ.P. 26(e), the parties are under an ongoing obligation to supplement the disclosures and production in this case.

III. Dispositive motions

All other dispositive motions shall be filed by **September 9, 2016**.

IV. Trial Schedule

- A. Extensions of these deadlines will only be granted in the rarest of circumstances, as the usual difficulties and delays associated with prisoner litigation have been taken into account in setting the pretrial schedule.
- B. If the parties believe that a settlement conference would be beneficial, they should contact chambers.
- C. A telephonic status conference is **SET** for **May 12, 2016 at 2:00 p.m.** before United States Magistrate Judge Donald G. Wilkerson. Defendant to initiate the conference call.
- D. A telephonic pretrial conference is **SET** for **December 1, 2016 at 3:00 p.m.** before United States Magistrate Judge Donald G. Wilkerson. Defendant to initiate the conference call.
- E. A final pretrial conference is **SET** on **December 13, 2016 at 1:30 p.m.** before United States District Judge Nancy J. Rosenstengel. Parties should consult Judge Rosenstengel's case management procedures, located on the Court's webpage, for instructions.

F. Trial is hereby set before District Judge Nancy J. Rosenstengel on **January 24, 2017 at 9:00 a.m.**

IT IS SO ORDERED

DATED: February 19, 2016



DONALD G. WILKERSON
United States Magistrate Judge